

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 12 2017

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Stephen B. Kirk

Case Number: 0980 2:96CR02021-WFN-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: January 17, 1997

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922 (g)(1)

Original Sentence: Prison - 210 months; Type of Supervision: Supervised Release
TSR - 60 months

Revocation: Prison - 36 months;
(11/14/2013) TSR - 24 months

Asst. U.S. Attorney: Alison L. Gregoire Date Supervision Commenced: May 26, 2016

Defense Attorney: Roger Peven Date Supervision Expires: May 25, 2018

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On February 19, 2016, Stephen Kirk signed his conditions of supervised release. Specifically, he acknowledged that he understood all of his conditions of supervision to include that he follow the instructions of the probation officer.

On April 6, 2017, Stephen Kirk attended a scheduled session with the Eastern District of Washington Sobriety Treatment and Education Program (STEP). He was instructed by the probation officer at that time to remain at a residential reentry center (RRC) following his completion of inpatient treatment, until approved by the STEP team for release.

On Friday, June 9, 2017, the undersigned officer was notified at 9:50 p.m. that Mr. Kirk had absconded from the Spokane RRC. Mr. Kirk was not approved for release from the RRC, and his current whereabouts are unknown.

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2 **Standard Condition # 5:** The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Supporting Evidence: On February 19, 2016, Stephen Kirk signed his conditions of supervised release. Specifically, he acknowledged that he understood all of his conditions of supervision to include that he work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.

Stephen Kirk has failed to secure and maintain employment since March 2017, when he was employed for less than 1 month at the Spokane Waste Management facility. Prior to that period, he was unemployed for over 6 months.

3 **Standard Condition # 6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: On February 19, 2016, Stephen Kirk signed his conditions of supervised release. Specifically, he acknowledged that he understood all of his conditions of supervision to include that he notify the probation officer at least 10 days prior to any change in residence or employment.

On June 9, 2017, Stephen Kirk absconded from the Spokane RRC. At the time of this report, he has failed to notify the U.S. Probation Office of his current unapproved residence.

4 **Standard Condition # 10:** The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.

Supporting Evidence: On February 19, 2016, Stephen Kirk signed his conditions of supervised release. Specifically, he acknowledged that he understood all of his conditions of supervision to include that he permit a probation officer to visit him or her at any time at home or elsewhere, and shall permit confiscation of any contraband observed in plain view of the probation officer.

On June 9, 2017, Stephen Kirk absconded from the Spokane RRC. He has failed to provide his probation officer with the location of his current unapproved residence. Subsequently, he is preventing his probation officer from conducting home contacts.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 12, 2017

s/Richard Law

Richard Law
U.S. Probation Officer

Re: Kirk, Stephen B.

June 12, 2017

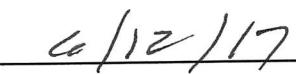
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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other



Signature of Judicial Officer



6/12/17

Date